INSTITUTE FOR SOCIAL POLICY AND UNDERSTANDING

POLICY BRIEF

American Immigration Policy since 9/11: Impact on Muslim Migrants

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It is perhaps obvious to state that terrorists cannot plan and carry out attacks in the United States if they are unable to enter the country. Yet prior to September 11, while there were efforts to enhance border security, no agency of the U.S. government thought of border security as a tool in the counterterrorism arsenal. Indeed, even after 19 hijackers demonstrated the relative ease of obtaining a U.S. visa and gaining admission into the United States, border security still is not considered a cornerstone of national security policy. We believe … that it must be made one.[1]

Between 8:45 and 10:10 on the morning of September 11, 2001, four aircraft carrying 265 people (including nineteen hijackers) crashed into several sites around the United States killing all those onboard, as well as 2,595 people in the Twin Towers and on the ground near the World Trade Center in New York City and 125 more people at the Pentagon in Washington.[2] While there were many changes in response to the events of September 11th both within the United States and in how the United States interacted with the world, one of the immediate focuses was the country's immigration policy. In the minds of the American public, the nineteen hijackers were united by two characteristics: their religion and their immigration status. A supplemental staff report by the 9/11 Commission solidified Americans' growing fears that the country's immigration control system had failed when it reported that "all 19 airplane hijackers from September 11th broke U.S. immigration laws."[3] While Muslims had long been traveling to and

settling in the United States, the events of September 11th brought the issue of Muslim migration to the top of the domestic policy agenda as part of the broader conception of 'homeland security."

In the days after 9/11, many policy analysts assumed that the terrorist attacks would create a political groundswell in favor of broad new immigration restrictions toward those entering the United States from predominantly Muslim countries. "Policies leading to a moratorium on immigration, or at least a fundamental re-examination of the numbers and categories of immigrants that are admitted to the United States, were thought to be inevitable."[4] Public opinion polls took a dramatic swing supporting more restrictive immigration policies. A November 2001 Fox News poll indicated that "65 percent of Americans favored stopping all immigration during the war on terror, and a January 2002 Gallup poll reported that 58 percent of Americans thought immigration levels should be decreased, up from 45 percent in January 2001."[5] Yet while there have been many alterations to immigration policy, especially towards Muslims, and its enforcement since 9/11 is the degree to which the legislative branch did not take more dramatic action.

Of course there have been several significant changes to the country's immigration policy since 9/11, most of which were aimed, if not expressly then at least in practice, at Muslim immigrants. "Indeed, of the thirty-seven known U.S government security initiatives

implemented since the September 11th attacks, twenty-five either explicitly or implicitly target Arabs or Muslims."[6] Very few of these policy changes, however, were crafted through the standard legislative process where they would have been subjected to public debate and scrutiny. Rather, the majority of the policy changes, regulations, and enforcement procedures have been implemented by executive fiat through the Attorney General's office, the State Department, and the Immigration and Naturalization Service (INS).[7] The fact that the executive, not the legislative branch, was responsible for the majority of these changes has given hope to some scholars that these measures lack a degree of permanency and/or legitimacy that would otherwise be attached to changes enacted by the legislative branch and, therefore, may only signal a temporary shift in the overall direction of American immigration policy.

While some feared that the political rhetoric following the terrorist attacks presaged imminent and drastic changes to the scale and intention of the country's immigration policies, the actual impact has not been as severe as many had predicted. While the initial post-9/11 security initiatives had a dramatic chilling effect on Muslim immigrants coming into the Untied States as well as those already here, some commentators have been impressed by the degree to which 9/11's long-term policy impact has veered away from the isolationist path advocated by some popular political commentators. As one commentator noted, "even after September 11, not a single member of Congress proposed cutting off Middle Eastern immigration."[8] This is not to say that Congress remained silent, passively allowing the executive branch to shape the future of immigration policy on its own. While Congress had not passed any significant immigration acts since enacting three new immigration laws in 1996,[9] 9/11 did cause it to pass several pieces of legislation: the USA PATRIOT Act of 2001, the Enhanced Border Security and Visa Entry Reform Act of 2002, and the Homeland Security Act of 2002.[10]

Furthermore, while many experts predicted that 9/11 would dramatically impact immigration policy, some experts believe that the terrorist attacks actually slowed down the pace of immigration policy reform in the United States. The Bush administration was elected in 2000 on a largely pro-immigration platform that sought to refocus the immigration debate away from one centered largely on cultural and economic fears to one that attempted to shape labor migration into a guestworker program that the president believed would be to the country's economic benefit. Just weeks prior to 9/11, Mexican President Vincente Fox visited the Bush White House, where the main topic of discussion between the two presidents was creating a guestworker program to provide a new legal framework for migration between the neighbors in order to create a smooth flow of labor across the southern border of the United States.[11] A report issued by the Federal Reserve Bank of Dallas stated that:

Despite the common perception that 9/11 triggered a crackdown on immigration (the enactment of the USA Patriot Act, the reorganization of the Immigration and Naturalization Service into Homeland Security, and other changes), pre-9/11 policies actually constituted a much more substantive effort in this direction. The post-9/11 period is most striking for the lack of change. Significant immigration reform pending before the terrorist attacks was taken off the table and remains on indefinite hold.[12]

What significantly changed since 9/11 was policy debate's tone, which from one that emphasized economic issues to one that focuses more exclusively upon security concerns. The "securitization"[13] of the policy debate, especially in regards to immigration from Muslim-majority countries, has dramatically changed the way that policymakers and Americans in general think about migration controls. The United States has traditionally viewed immigration issues on the basis of economic and/or cultural criteria, concerned as to whether or not immigrant labor will "displace" native workers or "disturb" the social ties binding the country together. "Despite the flow of immigrants into the United States during the last third of the twentieth century, national security was rarely a concern. Protection of natives' jobs and culture from the encroachment of newcomers was typically as far as it went in peacetime."[14] The 9/11 attacks, however, did not fit into the conceptual framework provided by the prevailing cultural/economic lens. The nineteen hijackers were not American citizens, and these "immigrants" came into the country not to find employment or to seek the freedom to live in peace. Instead, they came to inflict damage on the country that had granted them entrance. Although in strict public policy terms the hijackers were not immigrants but rather visitors who came into the country on "non-immigrant visas," this legal distinction was acknowledged only rarely in the popular discourse on immigration after 9/11. For the general population, immigration and its control are most often viewed in broad terms to include all forms of cross-border transfers: short-term visits, permanent settlers, and trips for business or for pleasure:

… the man on the street rightly views immigration as a broad phenomenon encompassing visitors or sojourners as well as settlers. Immigration, which had seemed to offer him nothing but bargain nannies and gardeners, suddenly appeared to harbor a threat.[15]

To the great majority of the American public, 9/11 forever merged previously separate issues of immigration and security into a single issue, which scholars have termed the "migration-security nexus." This altering of our cognitive framework changed the way immigration was both regulated and regarded by the American government and Americans.

The month after the terrorist attacks, President Bush signed Homeland Security Presidential Directive 2, "Combating Terrorism through Immigration Policies," which firmly established in bureaucratic regulations and procedures the connection between security and immigration. This presidential directive promoted inter-agency cooperation on a federal level between those bureaus responsible, *inter alia*, for visa issuance, border control, internal immigration enforcement, and counter-terrorism functions in an effort "to deny entry into the United States of aliens associated with, suspected of being engaged in, or supporting terrorist activity; … [and]

to locate, detain, prosecute or deport any such aliens already present in the United States."[16] By extension, from what was known about the identity of the nineteen hijackers (which was – and still is – rather limited[17]), this presidential directive to protect the United States from dangerous "immigrants" has led to a bureaucratic "culture of no" within the agencies responsible for processing visa

Refugees Flow into the United States
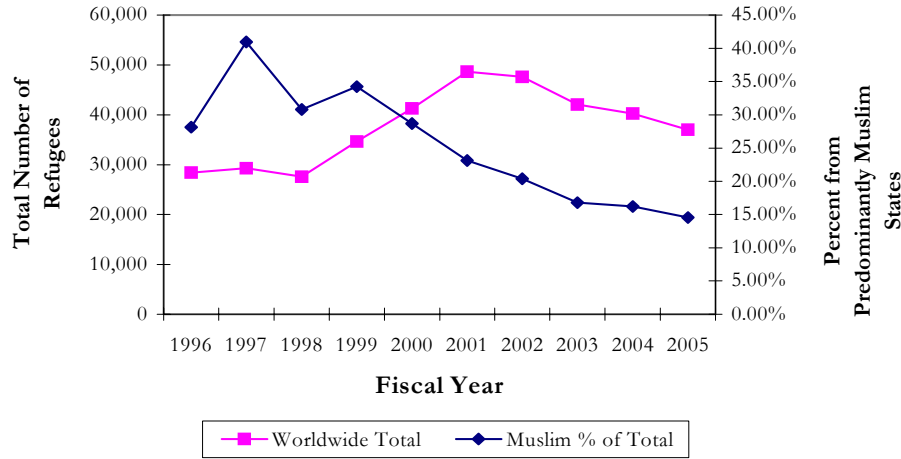
applications, a bureaucratic bias that specifically (but not exclusively) focuses on "male applicants from a list of 26 predominately Islamic nations."[18]

Of the three channels[19] for legal entrance into the United States, 9/11's impact was most severely and immediately apparent on the refugee stream, to the point where refugee resettlement levels fell to their lowest point in twenty-five years. Asylums granted[20] from all regions around the globe declined significantly as the screenings to detect both fraudulent claims and potential security threats were dramatically tightened. However, the presidential directive's impact was felt most strongly on the number of refugee admissions from Muslim-plurality countries. According to data from the Office of Immigration Statistics,[21] the percentage of refugees admitted from such countries peaked at over 40% of the total refugee flow and fell below 15% in 2005.[22] However, this reduction

Percent of Allocation Filled
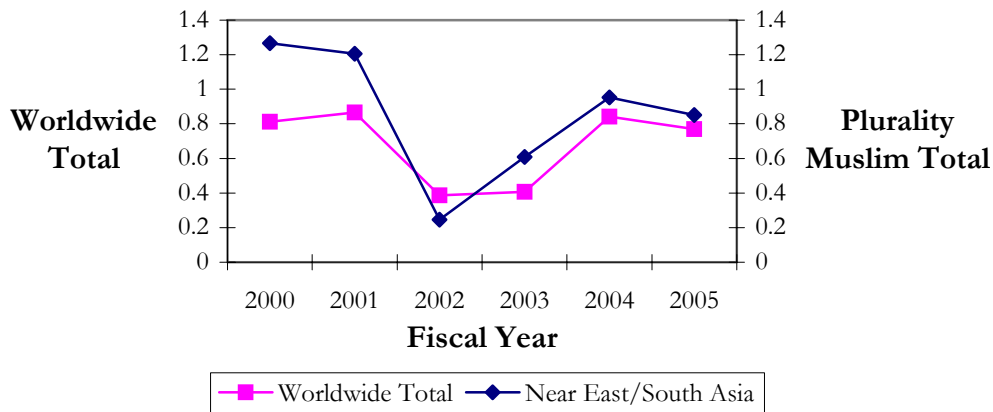
began its decline in 1999, three fiscal years before the 9/11 attacks,[23] a trend which the attacks only appear to have accelerated. Yet, while the level of Muslim-country refugee admissions seems to have been negatively impacted by 9/11, a comparison of the number of refugees admitted by region versus the level of refugee admissions authorized by the government appears to give a different, or at least a more complex, picture.

While the president and Congress had sanctioned the entrance of as many as 70,000 refugees annually in Fiscal Years 2002-06, the actual number of admissions under this category dropped from nearly 68,500 in FY 2001 to approximately 27,100 in FY 2002[24] and 28,500 in FY 2003.[25] Based on the most recent information available through the State Department, however, the numbers have begun to rise again, to nearly 52,900 in FY 2004 and a projected 54,000 for FY 2005. But these numbers are still below the legally authorized ceiling.[26] The drop in the number of refugee admissions (both in absolute numbers and as a percentage of that authorized) arose from the increased scrutiny that refugee application screeners were expected to employ. This policy of more careful application reviews sought to solve two problems: reduce the level of fraudulent refugee applications associated with "economic migrants" attempting to enter through the asylum process, and an increased emphasis on national security and counter-terrorism efforts, as authorized by the president's directive.[27]

One might well expect, in conformity with the apparent post-9/11 rhetorical and regulatory bias against Muslim migrants, that the impact of this precipitous fall in refugee admissions would fall disproportionally on refugees coming from Muslim countries. However, data collected by the Congressional Research Service appears to indicate that, except for FY 2002 (the first year immediately after the terrorist attacks), the State Department's regional category of "the Near East & South Asia"[28] was the source of a larger percentage of refugee admissions versus the authorized maximum allocation than that of the program's total percentage as a whole. While the percentage from the Near East & South Asia dropped from before to

after 9/11 – in the two fiscal years prior to 9/11, refugee admissions from the region reached 123.3% of the authorized ceiling (22,189 admissions versus a ceiling of 18,000), while between FY 2002-05 the region only achieved 77.4% of its allocated amount (35,983 admissions versus a program limit of 46,500) – the percentage for the program as a whole dropped from 83.8% (142,451 admissions versus 170,000 authorized) for FY 2000-01 to 69% (310,664 admitted versus a program limit of 450,000).[29]

LPR Flows into the United States
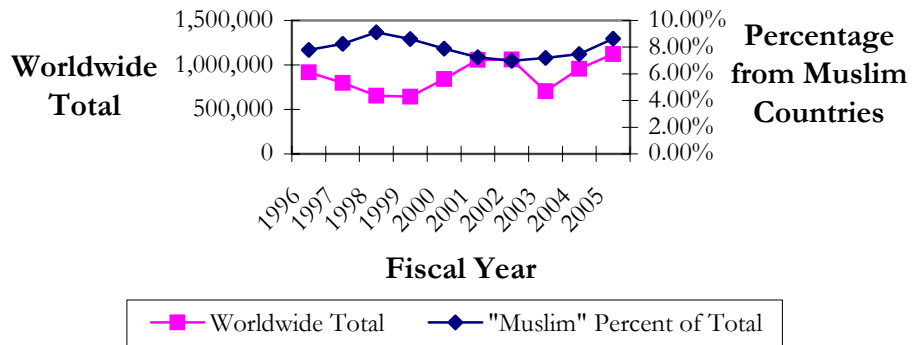
Source: Office of Immigration Statistics, Data on Legal Permanent Residents

The immigration channel that was least impacted by the securitization of immigration after 9/11 was legal permanent residence (LPR), through which immigrants can gain the right to live and work here permanently and become eligible to for citizenship after five years. The permanent admission stream is comprised of three sub streams: family reunification (immediate family and family-sponsored), employment-based, and diversity-based immigration.[30]

Between FY 2001-02, the Congressional Budget Office reported that the total number of permanent admissions remained constant (at approximately 1,064,000) in the fiscal year directly before and directly after 9/11. However, that number dropped significantly in 2003 to 706,000 and remained off its previous level in 2004 at 958,000, before rising above its pre-9/11 levels to 1,122,000 in 2005.[31] In light of the dramatic change in the post-9/11 tone of popular opinion and some of the political rhetoric, however, the pattern in the absolute number of Legal Permanent Residents admitted from Muslim countries remained largely similar to the overall pattern for all LPRs. What may actually surprise some pundits is that the percentage of LPRs from the 39 countries with a Muslim plurality (a percentage that had been declining in the years before 9/11) actually rose from its low of just under 7% in FY 2002 to over 8.5% in FY 2005.

A similar, but even more noticeable, pattern can be seen in the data regarding naturalizations between 1996 and 2005. After a seemingly stable pattern in the distribution of source countries for naturalized citizens in the first three years of this period of slightly over 7.5%, FY 2000 saw the beginnings of a dramatic increase in the share of naturalized citizens who came from countries with a population plurality of Muslims to over 15.25% in 2004.[32]

This phenomenon is relatively well reported by social scientists, who also have

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detailed such upward movements in the levels of naturalizations by those born in "enemy" countries during most of the United States' conflicts. It can be seen, in part, as an attempt to distance oneself from one's prior fealties and assert one's patriotic association with their adopted homeland. "In times of political stress, immigrants seek citizenship in much larger numbers; it leapt significantly after September 11 for the ensuing six months, a pattern also visible during the 1920s and the Second World War."[33] The securitization of Muslim immigration (as well as all immigration) can be seen in the rising concern from some corners of the political arena about the changing demographic characteristics of the Arab-American (which is used in many American political discourses to identify, incorrectly, all Muslim Americans), a group that had been nearly statistically invisible prior to 9/11.

The first official attempt to track the number of Arab-Americans was only issued in 2003. Prior to that survey, they were lumped under the racial category of "White, non-Hispanic."[34] The increased scrutiny and concern over this previously overlooked ethnic community can be seen in a *National Review* article published after 9/11, which stated that:

While the Mideast itself is overwhelmingly Muslim, historically this has not been true of the region's immigrants to the U.S. Up until the 1960s, Middle Eastern immigrants were mostly Christian Arabs from Lebanon, or Armenians, Assyrians, Greeks, and other Christian minorities fleeing predominantly Muslim countries. In 1970, roughly 15% of Middle Eastern immigrants were Muslim; by 2000, almost 73 percent were.[35]

In the post-9/11 world where immigration, especially immigration from the Islamic world, is viewed through a security lens, this data point took on a decidedly sinister meaning for some analysts. This is despite the fact that the same article also indicated that Middle Eastern immigrants have proven and continue to be a wealthier, more highly educated, and more assimilated group than immigrants as a whole, a fact that when read through an economic lens would otherwise indicate that Arab immigration was a positive trend that ought to be encouraged.

Naturalizations in the United States
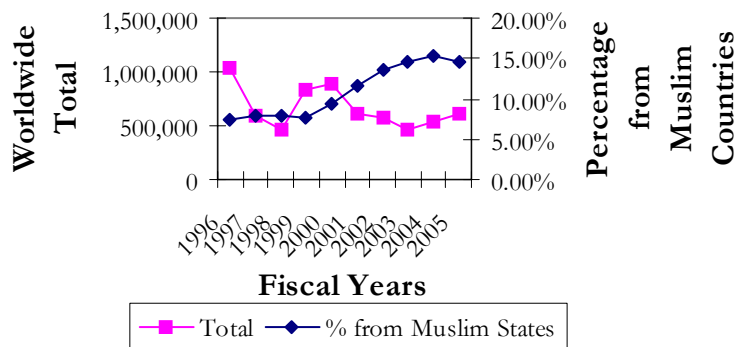
Source: Office of Immigration Statistics, Data on Naturalizations

According to the data provided by the Office of Immigration Statistics,[36] the category of Muslim immigration most dramatically impacted by 9/11 and its aftermath has been that of temporary visitors – "nonimmigrants." From a high in FY 2001 of over 710,000 business and personal visitors from Muslim countries tracked by the American government, the number dropped to only 465,000 the following year. "The largest numerical drop between 2000 and 2004 (70 percent) has been in the number of tourist and business visas issued to individuals from Gulf countries, which include Kuwait, Saudi Arabia, Bahrain, Qatar, United Arab Emirates, and Oman."[37] While part of this drop mirrored the broad slowdown in international travel caused by 9/11, these Gulf countries were also specifically (although not exclusively) singled out on the list of twenty-six predominately Muslim countries (with the exception of North Korea) that became the focus of many of the Bush Administration's more aggressive immigration enforcement policies and more rigorous visa application screening procedures.

Nonimmigrant Admissions to the U.S.
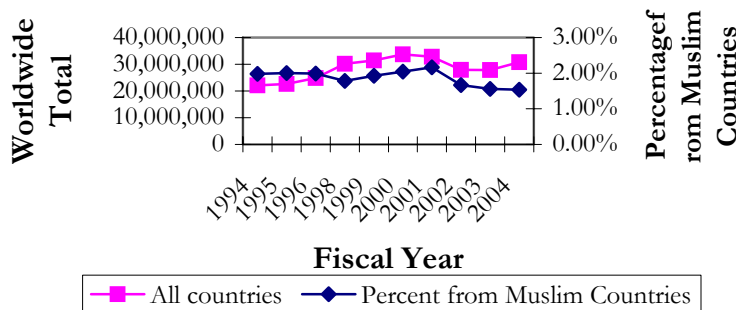
Source: Office of Immigration Statistics, Nonimmigrant Population Estimates: 2004

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In October 2001, the State Department [the agency with the responsibility for authorizing visa applications] issued a classified cable imposing a mandatory twenty-day hold on all nonimmigrant visa applications submitted by men aged eighteen to forty-five from twenty-six countries, subjecting them to special security clearance. Applications from males in most of these countries eventually required approval in Washington, with no time limit imposed on the response.[38]

While the average level of nonimmigrant admissions between 1994 and 2001 actually increased by 2% in the three fiscal years after 9/11,[39] the average percent of visitors coming from Muslim countries (never the embarkation point for a large percent of global visitors into the United States) dropped by 20%.
In the months after 9/11, the Congress passed legislation aimed specifically at the existing and future immigrant and nonimmigrant population, especially those from predominantly Muslim countries. It quickly passed the USA PATRIOT Act of 2001,[40] which provided, inter alia, expanded powers and funding to the federal government, including the ability "to detain foreigners without charges … provided additional funds for border security and granted the US Attorney General the power to detain any foreigner who he/she certifies is a danger to US national security."[41] This new act legitimized an earlier INS regulatory[42] amendment that extended the agency's power to detain an alien without charges.[43] Soon after this change, attorney general announced that his office had secretly detained as many as 1,200 mainly Arab and Muslim individuals as part of the FBI's investigation of the 9/11 terrorist attacks, dubbed PENTTBOM. In his later announcement that dealt with creating a program of over 8,000 "voluntary" interviews[44] of individuals from "countries suspected of harboring relatively large numbers of terrorists,"[45] U.S. Attorney General John Ashcroft cited the USA PATRIOT Act as the basis for his

authority to interview and detain these individuals.[46]

The implementation of the National Security Entry/Exit Registration System (NSEERS) on September 11, 2002, continued to build upon the immigration enforcement officials' specific focus on the country's alien Muslim population. The program was partially suspended[47] in December 2003. But while it had been fully operational 290,526 immigrants and visitors from a total 150 countries were had been registered both at specific Ports of Entry and through in-person interviews at domestic INS offices.[48] While the larger NSEERS program registered these people, the "Special Registration" program's in-person interviews were prioritized by a list of four "Call-In groups" drawn from twenty-five specific countries, "focusing on aliens who present the highest risk of involvement in terrorist organizations."[49] Of these countries only North Korea did not have a plurality Muslim population. "The order in which nationals of countries such as Iran, Iraq and Libya were called first, whereas Saudis and Egyptians were called third and last, respectively, may have corresponded to foreign policy priorities but not to terrorism profiles or to the political composition of expatriate communities."[50]

While the INS was careful to specify that the Special Registration was based on country of origin rather than religious belief, "[n]onetheless, it was clear to members of the public that the special registration program was tied to religion. 'U.S. Ends Muslim Registry' announced the headline of the December 2, 2003, *Chicago Tribune*."[51] The American government attempted to justify its choice of these particular countries by claiming that they were known supporters of Al Qaeda or contained a large Al Qaeda presence.

Although at times government officials stated that the countries whose citizens and nationals were required to register were selected because of [an] Al-Qaeda presence, countries with no proven Al-Qaeda presence were included, and countries with [a] known Al-Qaeda presence, such as Germany and England, were excluded.[52]

This generally held belief that the

American government's increased immigration enforcement has focused almost exclusively on Muslim migrants seems to be confirmed by the fates of two programs designed to expedite visas to the United States. The Saudi Arabian Visa Express program, through which three of the nineteen hijackers entered the country, was cancelled on July 19, 2002, after much public criticism. However, the Visa Waver Program, which allows citizens of twnety-seven countries (only one of which, Brunei, is predominantly Muslim) to receive American visas without appearing in-person at an American consulate for an interview, and through which suspected terrorists Zacarias Moussaoui and Richard Reid both entered the United States, is still in place despite numerous calls for its cancellation.[53]

In the face of limited intelligence on the actual membership of al Qaeda and associated groups that advocate (or actually employ) political violence, this focus on the migrant population from predominantly Muslim countries has been justified on the grounds that the most obvious characteristic shared by that membership is their Islamic faith. According to one captured al Qaeda training document, "Military Studies in the Jihad against the Tyrants," "the first condition of membership is that 'member(s) of the organization must be Muslim(s).'"[54] Broad religious, ethnic, and/or national profiling, such as that used in the period immediately after 9/11, however, has proven to be a poor guide for building an effective counter-terrorism immigration policy. Nearly 200,000 individuals were subjected to the NSEERS program, 1,200 "persons of interest" were detained under conditions of utmost secrecy in the post-9/11 PENTTBOM security sweep, and 8,000 people participated in two "voluntary" interview programs, the overwhelming majority of whom were Muslim immigrants to the United States.

Profiling is not in and of itself problematic as a mechanism to

identify potential terrorists. If based on solid information encompassing a wide range of indicators and used in conjunction with other law enforcement tools, profiling becomes one among an arsenal of techniques to give greater scrutiny to certain individuals than to others. However, when profiling is based on crude characteristics, such as race, ethnicity and religion, it can be a counterproductive tool for law enforcement that places an excessive burden on innocent persons.[55]

Furthermore, some people maintain that the government's narrow focus on young men from predominantly Muslim countries is misguided on a practical level: Terrorist organizations have recognized this enforcement strategy and adjusted their recruitment strategy to bring in members that do not fit the existing "profile." For example, they are focusing their recruitment efforts on "white Muslims" from countries not listed as having significant terrorist populations, for their immigration applications would not face such strict scrutiny.[56]

From a criminal prosecution point of view, the post-9/11 immigration enforcement programs were successful in that they identified and punished hundreds of lawbreakers for criminal violations ranging from severe infractions (e.g., drug dealing) to relatively minor immigration offenses. However, from a counter-terrorism point of view, such success is harder to substantiate. While thousands of mainly Muslim immigrants were placed in removal proceedings and/or detention, not a single individual was ever prosecuted on terrorism-related charges as a result of these 'security measures,'[57] "In June 2005, President Bush stated that over 400 charges were made as a result of terrorism investigations, but in almost all of these cases, the federal prosecutors chose to charge the plaintiffs with nonterror charges, such as immigration violations."[58] Unless one speaks in counter-factual terms of what plots may have been foiled, a line of reasoning that is

impossible to prove or disprove, the counter-terrorism value of these programs is difficult to verify.

The 9/11 attacks changed how Americans and their policymakers view and administer immigration into the United States. The nineteen hijackers were characterized as "Muslim immigrants" in the popular discourse, and therefore both Muslims and immigration came to be viewed through the lens of security. While immigration had previously been defined through economic and cultural terms, 9/11 brought about the securitization of the country's immigration policy and focused its regulation and enforcement on Muslim migrants. Both in terms of the tone of popular political rhetoric and in the differentialized adjudication of immigration policy toward young men from predominantly Muslim countries, Muslim migrants became the focus of much negative attention. Considering the nearly hysterical level of popular opinion after 9/11, however, for all of the inconveniences, delays, detentions, and (most likely, even) injustices visited upon the Muslim migrant population, it is perhaps remarkable that the impact of the terrorist attacks was not even more severe. A preliminary review of the data that isolates and compares the immigration statistics for countries with a plurality of Muslims reveals a more complex picture, one that calls for a deeper statistical analysis before drawing any final conclusions.

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[1] Thomas Eldridge, Susan Ginsburg, Walter Hemple, Janice Kephart, and Kelly More. 2004. "9/11 and Terrorist Travel: Staff Report of the National Commission on Terrorist Attacks upon the United States." Available at www.9-11commission.gov/staff_statements/911_TerrTrav_Monograph.pdf.

[2] www.september11victims.com/september11victims/. These numbers include those

confirmed dead and missing but presumed dead.

[3] Betsy Cooper. 2004. "Security Checks Affect Legal Immigration." Migration Policy Institute. Available at www.migrationinformation.org/USfocus/display.cfm?id=258.

[4] Muzaffar Chishti. 2002. "Immigration and Security Post-Sept. 11." Available through the Migration Information Source at www.migrationinformation.org/Feature/display.cfm?ID=46.

[5] Philip Martin. 2002. "Immigration: Shaping and Reshaping America." Available at www.npc.umich.edu/news/events/PRB-Monograph-Final.pdf, 13.

[6] Louise Cainkar. 2004. "The Impact of the September 11th Attacks and Their Aftermath on Arab and Muslim communities in the United States." *GSC Quarterly*, vol. 13 (Summer/Fall). Available at www.ssrc.org/programs/gsc/publications/quarterly13/cainkar.pdf.

[7] Originally an agency within the Justice Department, but now split between the Department of Homeland Security's Bureau of Citizenship and Immigration Services, the Bureau of Customs and Border Protection, and the Bureau of Immigration and Customs Enforcement.

[8] Steven A. Camarota, 2002. "The Muslim Wave: Dealing with Immigration from the Middle East." *The National Review*. Available at www.findarticles.com/p/articles/mi_m1282/is_17_54/ai_90888287

[9] The Anti-Terrorism and Effective Death Penalty Act, the Personal Responsibility and Work Opportunity Reconciliation Act, and the Illegal Immigration Reform and Immigrant Responsibility Act.

[10] Philip Martin. 2002. "Immigration: Shaping and Reshaping America." Available at www.npc.umich.edu/news/events/PRB-Monograph-Final.pdf; the Migration Information Service's "Chronology of Events since September 11, 2001 Relating to Immigration and National Security." Available at

www.migrationinformation.org/chronology.pdf.

[11] Martin."Immigration: Shaping and Reshaping America, pp. 18-19.

[12] Pia M.Orrenius, 2003. "U.S. Immigration and Economic Growth: Putting Policy on Hold." *Southwest Economy*, no. 6 (November/December).

[13] This term is being used as set forth by Barry Buzan, Ole Waever, and Jaap de Wilde in *Security: A New Framework for Analysis* (Bounder, CO: Lynne Rienner Publishers, 1998) as the process of bringing (or attempting to bring) issues previously considered to be non-security issues into a discourse defined by perceived existential threats to the survival or well-being of a political community. See also, Tomas Faist's "The Migration–security Nexus: International Migration and Security before and after 9/11." Working Paper 4/03 of the Willy Brandt Series of Working Papers in International Migration and Ethnic Relations. Available at http://dspace.mah.se:8080/dspace/bitstream/2043/686/1/Willy+Brandt+2003-4.pdf

[14] John Tirman, 2004. "The Migration-Security Nexus." *GSC Quarterly* (Summer/Fall). Available at www.ssrc.org/programs/gsc/publications/quarterly13/tirman.pdf.

[15] Robert J.Leiken "Bearers of Global Jihad? Immigration and National Security after 9/11," 14-15. Available through The Nixon Center at www.nixoncenter.org/publications/monographs/Leiken_Bearers_of_Global_Jihad.pdf.

[16] Tirman, "The Migration-Security Nexus." 2.

[17] A BBC news report indicated that four people who had been identified as one of the nineteen suicide hijackers were still alive in various locations.

[18] Lee Hockstader. 2003. "Post-9/11 Visa Rules Keep Thousands from Coming to U.S." *Washington Post,* November 11; p. A1. Available at http://opendoors.iienetwork.org/?p=37322.

[19] Refugees & Asylum-Seekers, Legal Permanent Residents, and Temporary Nonimmigrant Visitors.

[20] Both Affirmatively and Defensively.

[21] Covers fiscal years 1996 through 2005. Available at www.uscis.gov/graphics/shared/statistics/.

[22] The most recent data available.

[23] The U.S. government tracks its fiscal years from October 1[t] to September 30.

[24] MPI Staff. 2003. "Immigration since September 11, 2001." Published by the Migration Policy Institute: p. 3-4. Available at www.migrationpolicy.org/pubs/Immigration_Since_9-11.pdf.

[25] Erin Patrick. 2004. "The U.S. Refugee Resettlement Program." Published by the Migration Policy Institute. Available at www.migrationinformation.org/USfocus/display.cfm?ID=229.

[26] Bureau of Population, Refugees and Migration. 2005. "Proposed Refugee Admissions for Fiscal Year 2006 Report to the Congress." U.S. Department of State; Washington, DC: pp. 6. Available at www.state.gov/documents/organization/52475.pdf.

[27] MPI Staff. "Immigration since September 11, 2001." p. 4.

[28] The nearest available proxy for "Muslim-countries" based on the categories by which the Congress sets annual ceilings for refugee admissions.

[29] Andorra Bruno. 2006. "Refugee Admission and Resettlement" Congressional Research Service, updated January 25. Available at www.ilw.com/immigdaily/news/2006,0215-crs.pdf.

[30] In this preliminary data analysis, these four streams are combined together to represent all Legal Permanent Resident admissions both from new applicants and from those who changed their status from another entry classification.

[31] Office of Immigration Statistics. 2006. "U.S. Permanent Legal Residents: 2005." Department of Homeland Security. Available at www.uscis.gov/graphics/shared/statistics/publications/USLegalPermEst_5.pdf.

[32] Office of Immigration Statistics. "Table 21 -- Persons naturalized by region and country of birth: fiscal years 1996 to 2005." Yearbook of Immigration Statistics, 2005. U.S. Department of Homeland Security. Available at www.uscis.gov/graphics/shared/statistics/yearbook/2005/Table21D.xls.

[33] Tirman. "The Migration-Security Nexus." p. 5.

[34] Randa A.Kayyali 2006. "The People Perceived as a Threat to Security: Arab Americans since September 11th." Published on-line by the Migration Policy Institute at www.migrationinformation.org/Feature/display.cfm?id=409.

[35] Steven A. Camarota 2002. "The Muslim Wave: Dealing with Immigration from the Middle East." *National Review* (September). Available at www.findarticles.com/p/articles/mi_m1282/is_17_54/ai_90888287.

[36] Which only reports nonimmigrant entrance data on 18 of the 39 predominately Muslim countries.

[37] Camarota, "The Muslim Wave," pp. 3& 4 of 6.

[38] Louise Cainkar. 2004. "The Impact of the September 11th Attacks and Their Aftermath on Arab and Muslim Communities in the United States." *GSC Quarterly* 13 (Summer/Fall). Available at www.ssrc.org/programs/gsc/publications/quarterly13/cainkar.pdf.

[39] Through FY 2004, the last year of complete publicly available data.

[40] Uniting and Strengthening America Act by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT)

[41] Philip Martin. 2003. "Immigration: Shaping and Reshaping America." Available at www.npc.umich.edu/news/events/PRB-Monograph-Final.pdf, pp. 29.

[42] Issued on September 17, 2001.

[43] Originally limited to 24 hours, it was extended by an amended regulation to 48 hours without charge and for longer, a "reasonable period of time" in case of "emergency or other extraordinary circumstance." Quoted in MPI's "Chronology of Events since September 11, 2001 Related to Immigration and National Security." Published May 1, 2003. Available at www.migrationinformation.org/chronology.pdf.

[44] 5,000 announced in Nov. 2001 and a "request" for a further 3,000 issued in March 2002.

[45] MPI Staff. Chronology of Events."

[46] The American government also cited the 1789 Alien and Sedition Acts and the 1940 Smith Act (a.k.a., the 1940 Alien Registration Act), among others. Louise Cainkar. 2004. "The Impact of the September 11th Attacks and Their Aftermath on Arab and Muslim Communities in the United States." *GSC Quarterly*,no. 13 (Summer/Fall). Available at www.ssrc.org/programs/gsc/publications/quarterly13/cainkar.pdf.

[47] Portions of the program are still active; others have been rolled into the US-VISIT program for non-immigrant visitors or the SEVIS program to register and track foreign students.

[48] Office of the Press Secretary. 2003. "Fact Sheet: Changes to National Security Entry/Exit Registration System (NSEERS)." Department of Homeland Security.

[49] International Information Program. 2002. "National Security Entry/Exit Registration Program: System Designed To Protect U.S. Citizens from Terrorism." U.S. State Department. Available at http://usinfo.state.gov/is/Archive_Index/EntryExit_Registration_System.html.

[50] Robert J. Leiken "Bearers of Global Jihad? Immigration and National Wecurity after 9/11," 14-15. Available through The Nixon Center at www.nixoncenter.org/publications/monographs/Leiken_Bearers_of_Global_Jihad.pdf.

[51] Louise Cainkar. "The Impact of the September 11th Attacks."

[52] Louise Cainkar. 2004. "Post 9/11 Domestic Policies Affecting U.S. Arabs and Muslims: A Brief Review." *Comparative Studies of South Asia, Africa and the Middle East* 24(1): 246.

[53] Robert J.Leiken, "Bearers of Global Jihad? Immigration and National Security after 9/11," 14-15. Available through The Nixon Center at http://www.nixoncenter.org/publications/monographs/Leiken_Bearers_of_Global_Jihad.pdf.

[54] Ibid., 139.

[55] Susan Martin. 2003. "The Politics of US Immigration Reform." *The Political Quarterly*, 74(1): 142.

[56] Robert J. Leiken. "Bearers of Global Jihad? Immigration and national security after 9/11", 14-15. Available through The Nixon Center at http://www.nixoncenter.org/publications/monographs/Leiken_Bearers_of_Global_Jihad.pdf.

[57] Tirman, "The Migration-Security Nexus." 3-4.

[58] Randa A. Kayyali, 2006. "The people perceived as a threat to security: Arab Americans since September 11th." Published on-line by the Migration Policy Institute at www.migrationinformation.org/Feature/display.cfm?id=409.

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